

10/26/2018

Letter of Appeal  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554  
CC Docket No. 02-6

Re: Request for Review of Commitment Adjustment Letters for Funding Year 2016, issued January 4, 2017.

Dear Marlene H. Dortch:

I am submitting this letter of appeal regarding a COMAD and Red-Light status of E-Rate FY 2016 funding of E-Rate FY 2016 funding request 1699083171 on the grounds that, the beneficiary paid a pre-discount amount to the service provider that was properly disbursed based on those expenditures.

Appellant Name:	e2e Exchange, LLC
Applicant Name:	Vernon Parish School Board
471 Application Number:	161038692
Billed Entity Number:	139347
FRN:	1699083171
Service Provider:	BellSouth Telecommunications, LLC

SLD Explanation for denial: *"FCC Directive; Red Light Ruling"*

**It appears there was an upload issue with the FCC web portal submission on 10/26/2018. We have confirmation that this appeal was submitted. Today, Karen Hulmes from USAC called and requested a second submission of this appeal on 3/26/2019.**

The underlying problem appears to tra/ce back to USAC and the PQA review team. Mariam Laarsraoui, while very pleasant to work, was repeatedly missing information that was sent in to her. We provided copies of all required documentation invoices, checks, web filtering appliance data, entity listing, as well as further detail to reconcile checks, and the three account numbers associated with FRN 1699083171.

The total payment made on these two accounts is \$924,709.73 which puts Vernon Parish clearly above the pre-discount amount of \$732,870. Please see the attached checks for account numbers 337 M31-9907 907 that were dually submitted during PQA review. The PQA review in her assessment verified \$720,427.79. She requested further detail on the checks totaling \$204,261.94 that make up the entire balance of the payment made. These payments were made on Acct# 318-N04-0010 010 and 318-N04-0136 136 the later of which was created by BellSouth but is representative of the entire scope of services billed and represented in the Form 471. This detail was provided on 5/11/18 three days before the due date 5/14/18

In May 2017, the FCC issued its *Jefferson-Madison* decision ([DA 17-526](#)) directing USAC to accept resubmitted invoices from certain applicants who had missed invoice deadlines. At the same time, the FCC instructed USAC to accept resubmitted invoices from other "similarly-situated" applicants. In August 2017, after investigating such similar cases, USAC reached out to applicants it so identified, invited them to resubmit invoices for specific FRNs, and gave them new invoice deadlines. Should USAC take issue with the Form 486 filing date, we request that the FCC impose the Jefferson-Madison ruling so that the 486 deadline is waived, and invoices dates before 2/23/18 are taken into full consideration. At no point during PQA review was this a point of contention, however this request should be clear as to allow the FCC to rule on a decision without further prejudice to this funding request.

Note that this is **not** a case of improperly committed funds. We request that the FCC also invoke the ruling relevant to the Bishop Order as 1.) The processing of this PQA is the result of a USAC clerical error and its inability to reconcile the massive amount of information requested and 2.) the PQA findings do not create a substantive violation. The FCC Order 06-54 waives the rules for procedural, not substantive violations.

Furthermore the recovery of funds, properly committed, but paid under an erroneously applied invoice extension, "...may not be appropriate for violation of procedural rules codified to enhance operation of the E-Rate program as per FCC 04-190, ¶19.. USAC's assessment in incorrectly disbursed funds as these funds were not disbursed incorrectly, does not constitute a substantive violation on behalf to the applicant and as such should not apply.

We respectfully request that you overturn the denial and restore full funding of these FRNs. Thank you for reviewing this appeal. Please use the contact information below.

Tiffany Bullion, E2e Exchange LLC, PO Box 451, Syracuse, NY 13206, Tel. 315.422.7608, Fax 866.283.9332, [trb@e2exchange.com](mailto:trb@e2exchange.com)

Sincerely,  
**E2e exchange, LLC**

Tiffany Bullion  
Director of Operations

**From:** Sean Cuskey - e2e Exchange  
**To:** Shari Phillips - e2e Exchange  
**Subject:** Fw: SL-2017-07-Case-225  
**Date:** Tuesday, March 26, 2019 3:02:38 PM  
**Attachments:** [image001.png](#)  
[2016 POA VernonParish AllDocs.zip](#)  
**Importance:** High

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**From:** Sean Cuskey - e2e Exchange  
**Sent:** Wednesday, February 7, 2018 6:50:13 AM  
**To:** Mariam Laasraoui (Mariam.Laasraoui@usac.org)  
**Subject:** FW: SL-2017-07-Case-225

Hi Mariam,

I'm still trying to send this. I Put the doc in a zip folder to try and reduce the size.

Please confirm receipt.

Thanks

Sean

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**From:** Sean Cuskey - e2e Exchange  
**Sent:** Tuesday, February 06, 2018 7:52 AM  
**To:** 'Mariam Laasraoui'  
**Subject:** RE: SL-2017-07-Case-225

Hi Mariam,

Thanks for letting me know. I was concerned about the large attachment. I have attached it here again.


If there is no attachment let me know, I'll try sending it through my Gmail which ( I believe) does not have a size limit on attachments.

Thank you,

Sean



Sean Cuskey  
Director of Operations  
P: 315-422-7608 | F: 866-283-9332  
[www.erateexchange.com](http://www.erateexchange.com) | [www.e2eexchange.com](http://www.e2eexchange.com)

Formerly known as 

This message may contain confidential information. If you have received this message in error, refrain from disclosing any information contained herein and contact us at 315.422.7608.

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**From:** Mariam Laasraoui [<mailto:Mariam.Laasraoui@usac.org>]  
**Sent:** Tuesday, February 06, 2018 7:46 AM  
**To:** Sean Cuskey - e2e Exchange  
**Cc:** beta admin  
**Subject:** RE: SL-2017-07-Case-225

Sean,

Thank you for submitting the documentation. I only received the Entity Listing (Item 4), the Confirmation Letter (Item 9), and the Bid Statement (Item 10). Can you please resend the remaining documents (Item 5,7,11,12)?

Thank you,

**Mariam Laasraoui**  
(202) 909-4844  
[Mariam.Laasraoui@usac.org](mailto:Mariam.Laasraoui@usac.org) | [www.usac.org](http://www.usac.org)

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**From:** Sean Cuskey - e2e Exchange [<mailto:stc@e2eexchange.com>]  
**Sent:** Monday, February 05, 2018 4:06 PM  
**To:** Mariam Laasraoui <[Mariam.Laasraoui@usac.org](mailto:Mariam.Laasraoui@usac.org)>  
**Subject:** RE: SL-2017-07-Case-225

Mariam,

Please confirm receipt. The document attached is very large:

Item 4: List of entity names and numbers that received products and/or services associated with the FRN - Attached  
Item 5: Service provider bills related to this FRN that accurately reflect the disbursement amount - Attached  
Item 7: Copy of the bank statement that shows the disbursement amount received from USAC was deposited - Attached  
Item 9: Completed, printed, and signed Confirmation Letter Attached  
Item 10: Bid evaluation and relevant contract – No bids RECD – see attached from district  
Item 11: Proof of Payment to the service provider - Attached  
Item 12: Proof of CIPA compliance - Attached

Thank you,